

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ALFREDO TORRES JR.,

No. C 10-03044 SBA (PR)

Plaintiff,

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**

v.

A. LOPEZ, et al.,

Defendants.


Plaintiff, a state prisoner, filed the present pro se prisoner complaint under 42 U.S.C. § 1983. On December 9, 2011, mail directed to Plaintiff by the Court was returned to the Clerk of the Court with a notation that it was undeliverable because he had been "discharged." To date, Plaintiff has not updated his address with the Court or submitted any further pleadings in this case.

Pursuant to Northern District Local Rule 3-11 a party proceeding pro se whose address changes while an action is pending must promptly file a notice of change of address specifying the new address. See L.R. 3-11(a). The court may, without prejudice, dismiss a complaint when: (1) mail directed to the pro se party by the court has been returned to the court as not deliverable, and (2) the court fails to receive within sixty days of this return a written communication from the pro se party indicating a current address. See L.R. 3-11(b).

More than sixty days have passed since the mail directed to Plaintiff by the Court was returned as undeliverable. The Court has not received a notice from Plaintiff of a new address. Accordingly, the complaint is DISMISSED without prejudice pursuant to Rule 3-11 of the Northern District Local Rules. The Court has rendered its final decision on this matter, therefore, this Order TERMINATES Plaintiff's case.

IT IS SO ORDERED.

DATED: 2/9/12


SAUNDRA BROWN ARMSTRONG
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 ALFREDO TORRES JR.,

5 Plaintiff,

6 v.

7 A. LOPEZ et al,

8 Defendant.

Case Number: CV10-03044 SBA

CERTIFICATE OF SERVICE

9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
10 Court, Northern District of California.

11 That on February 10, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
14 located in the Clerk's office.

15 Alfredo Torres G-41302
16 California State Prison - San Quentin
17 San Quentin, CA 94974

18 Dated: February 10, 2012

19 Richard W. Wieking, Clerk
20 By: LISA R CLARK, Deputy Clerk
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United States District Court
For the Northern District of California